

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Billy G. ANDERSON et al.

Serial No. 09/968,493

Filed: October 27, 2000

For: COMPOSITE BONE GRAFT, METHOD OF MAKING AND USING SAME



Group Art Unit: 3732

Examiner: Michael B. Priddy

INFORMATION DISCLOSURE STATEMENT

Honorable Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The PTO did not receive the following
listed item(s) 180-

In accordance with the provisions of 37 C.F.R. 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the documents listed on the attached form PTO-1449. It is respectfully requested that the documents be expressly considered during the prosecution of this application, and that the documents be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

In accordance with 37 C.F.R. § 1.97(g) and (h), the filing of this IDS should not be construed as a representation that a search had been made or that information cited is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56 (b), or that any cited document listed or attached is (or constitutes) prior art. Unless otherwise indicated, the date of publication indicated for an item is taken from the face of the item, and Applicant reserves the right to prove that the date of publication is in fact different.

The references listed on Sheets 1 of Form PTO-1449 were cited by or submitted to the U.S. Patent and Trademark Office in parent application Serial No. 09/368,263, filed August 3, 1999, which is relied upon for an earlier filing date under 35 USC § 120. Copies of these

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references are not attached under 37 CFR 1.98(d).

The referenced patent application was allowed on June 24, 2004. Applicant petitions for consideration of the enclosed documents by the Examiner. The petition fee of \$180.00 pursuant to 37 CFR § 1.17(p) is attached. No item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this certification, after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the information disclosure statement. The Commissioner is authorized to charge any deficiency in any fees pursuant to 37 CFR § 1.17 associated with this communication and to credit any excess payment to Deposit Account No. 08-0219.

The Commissioner is authorized to charge any deficiency in any fees pursuant to 37 CFR § 1.17 associated with this communication and to credit any excess payment to Deposit Account No. 08-0219.

Respectfully submitted,

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Date: 5 August 2004

<div>INFORMATION DISCLOSURE CITATION IN AN APPLICATION (PTO-1449)</div>				ATTY. DOCKET NO. 105916.133US3		SERIAL NO. 09/968,493	
				APPLICANT Billy G. ANDERSON et al.			
				FILING DATE October 27, 2000		GROUP 3732	
U.S. PATENT DOCUMENTS							
EXAMINER'S INITIALS	PATENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE	
	2,621,134	12/1952	Sano				
	4,135,506	1/1979	Ulrich				
	4,512,038	4/1985	Alexander et al.				
	4,553,272	11/1985	Mears				
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	5,084,051	1/1992	Tormala et al.				
	5,152,791	10/1992	Hakamatsuka et al.				
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	5,354,300	10/1994	Goble et al.				
	5,397,362	3/1995	Noda				
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	6,025,538	2/2000	Yaccarino, III				
EXAMINER				DATE CONSIDERED			

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

**INFORMATION DISCLOSURE
CITATION IN AN
APPLICATION**

(PTO-1449)

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GROUP
3732

U.S. PATENT DOCUMENTS

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	5,797,891	8/1998	Wiersma			
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FOREIGN PATENT DOCUMENTS

EXAMINER'S INITIALS	PATENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
						Yes	No

OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)

	Brantigan, MD, John W. 1993. "Compression Strength of Donor Bone of Posterior Lumbar Interbody Fusion." <i>The Spine</i> . Vol. 18, No. 9, pp. 1213-1221.
	Ratner, B.D. et al. - edited by. 1996. "Biomaterials Science-An Introduction to Materials in Medicine." Academic Press.
	Bradford, David S - edited by. 1997. "Master Techniques in Orthopedic Surgery." <i>The Spine</i> . Lippincott-Raven. Philadelphia, PA. ISBN 0-78117-0033-7.

EXAMINER

DATE CONSIDERED

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